

## REMARKS

In response to the above identified Office Action, Applicants have amended their application and respectfully request reconsideration thereof.

### *Amendment of Claims*

Claims 1, 22 and 33 have been amended to include subject matter corresponding to claims 12, 12 and 43, respectively.

Claim 22 has been amended to include subject matter corresponding to claim 23.

Claims 12, 23 and 43 have been cancelled.

Claims 10, 11, 27, 29, 41, and 42 have been amended to correctly spell the word writable.

Claim 22 has been amended to add the word "and" before the last limitation in the claim.

Claims 24-26 have been amended to remove the colon after the word "wherein" and to add a colon after the words "comprise" or "comprising".

Claim 31 has been amended to improve readability.

### *Response to Drawing Rejections*

The drawings were objected to because as failing to comply with 37 CFR 1.84(p)(5) because they did not include a reference sign, "84", mentioned in the description. Responsive to this rejection the specification has been amended to remove the reference sign (page 9, lines 21).

The drawings were also objected to as failing to comply with 37 CFR 1.84(p)(5) because they include reference signs not mentioned in the description: note reference numeral "99" of Figure 3A and reference numeral "110" of Figure 3B. Responsive to this rejection please see reference numeral "99" mentioned in the description (page 8, line 17) and the amendment to the specification to include the reference numeral "110" (page 16, line 4).

### *Response to Claim Rejections*

Claims 10, 11, 27, 29, 41, and 42 were objected to because the word writable is misspelled. Please see the Amendment of Claims Section for a response to this rejection.

Claim 22 was objected to because the word *and* is missing before the last limitation in the claim. Please see the Amendment of Claims Section for a response to this rejection.

Claims 24-26 were objected to because the colon after the word "wherein" should be removed and placed after the word comprise or comprising. Please see the Amendment of Claims Section for a response to this rejection.

Claim 31 was objected to because "The system of claim 28 wherein the access the blending database comprises: reading the task entries and agent entries." The Examiner suggest that the claim reads "The system of claim 28 wherein accessing the blending database comprises: reading the task entries and agent entries." Please see the Amendment of Claims Section for a response to this rejection.

*Response to Claim Rejections – 35 USC § 103*

Claims 1-52 were rejected under 35 U.S.C. § 103(a), as being allegedly unpatentable over U.S. Patent No. 6,493,695 (hereinafter Pickering) in view of U.S. Patent No. 5,926,539 (hereinafter Shtivelman).

Applicants respectfully submit that claims 1-52 should not be rejected under 35 U.S.C. § 103 for the reason that prior art references when combined do not teach or suggest all of the claim limitations of the independent claims of the present application.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable

expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Amended, claim 1, includes the following limitation:

...wherein the workflows are user definable.

The Office Action, in rejecting claim 1 contends that the above limitation is anticipated by the following disclosure in Pickering.

The rule-based engine within the routing module 216 may include a plurality of rules that determine how a particular generic data structure 202D, 204D, 206D, 208D, 210D, 212D and 214D will be routed and/or queued. These rules may be predetermined and/or customizable to adapt the functionality of the routing module 216 to the needs of the business operating the call center 200. The rules within the rule-based engine may functionally take the form of independent and/or interdependent "if, then" statements, for example.

Col. 7, lines 40-49.

The above quote from Pickering describes a rule-based engine that includes rules to operate on generic data structures. The rules may be pre-determined and/or customizable to adapt to the needs of the business operating the call center. For example, the rules take the form of "if, then" statements.

Claim 1 requires a method whereby a workflow is user definable. Merely for example, a system manager may utilize a workflow client to amend an existing workflow and/or add a new workflow. In contrast, the above quote from Pickering does not describe a workflow that is user definable; but rather, a rule that is predetermined or customizable. To be sure, nowhere in the above quote does Pickering address who

may customize the rule. Indeed, Pickering may be said to teach away from a workflow that is user definable because Pickering discloses a rule in the form of an "if, then" statement thereby suggesting that a programmer is required because programming abilities are required. The above quote from Pickering therefore cannot be said to anticipate claim 1 because Pickering discloses a rule that is predetermined or customizable without indicating who may customize the rule and claim 1 requires a workflow that is user definable.

Independent claims 22 and 32 each include a limitation corresponding substantially to the above-discussed limitation of claim 1. The above remarks are accordingly also applicable to a consideration of these independent claims.

In addition, if an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 2-11, 13-21, 24-31, 33-42 and 44-52 under 35 U.S.C. § 103 is also addressed by the above remarks.

In summary, Pickering in combination with Shtivelman does not teach or suggest each and every limitation of claims 1-52 as required to support rejections of the independent claims of the present application under 35 U.S.C. § 103.

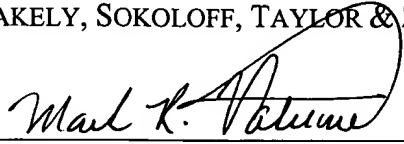
In summary, Applicants believe that all rejections presented in the Office Action have been fully addressed and withdrawal of these rejections is respectfully requested. Applicants furthermore believe that all claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Mark R. Vatuone at (408) 947-8200.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/15, 2003

  
\_\_\_\_\_  
Mark R. Vatuone  
Reg. No. 53,719

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 947-8200